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ESTUARY
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7 FEBRUARY 2017

Felicia Marcus, Chair

State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814-0100

Dear Chair Marcus;

We would like to thank the State Water Resources Control Board (State Board) for the opportunity to comment on the proposed Phase 1 updates to the San Francisco Bay/Sacramento-San Joaquin Delta Estuary Water Quality Control Plan (WQCP). The health and productivity of the Estuary ecosystem is vitally important to the millions of residents who live, work, and play in and around the Bay and Delta. This great estuary depends on a vibrant array of aquatic, wetland, and upland habitat, a diversity of fish and wildlife species, and a fluctuating, dynamic mix of ocean water with high-quality, cold, fresh water from the tributaries to the Bay-Delta Estuary, including the San Joaquin River.

The San Francisco Estuary Partnership (Partnership), one of 28 National Estuary Programs established under the federal Clean Water Act, is a local, state, and federal partnership committed to increasing the health and resiliency of the San Francisco Bay-Delta Estuary. The Partnership is guided by an Implementation Committee comprised of over 30 representatives from local, regional, state, and federal resource agencies, non-profits, citizens, and scientists.

According to the Partnership's 2015 State of the Estuary Report (<http://www.sfestuary.org/about-the-estuary/soter/>), a third or less of the natural runoff from the San Joaquin River and other tributaries now reaches the estuary (Figure 1), creating negative impacts to water quality and habitat for native fish and wildlife. This depletion of freshwater inflow, a vital component of estuaries, has contributed to declining salmon and other native fish and wildlife populations, deteriorating water quality, reduced sediment delivery, more frequent toxic algal blooms, and higher pollutant concentrations in the Bay and Delta.

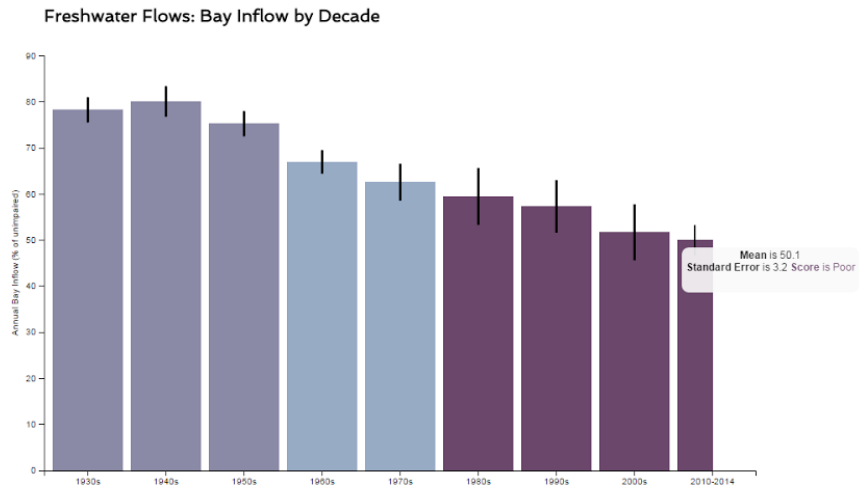


Figure 1. Freshwater inflows from the Delta to the Bay, as a percentage of unimpaired flow, have been declining for the last 60 years. Source: State of the Estuary Report 2015

The Partnership’s foundational document, the Comprehensive Conservation and Management Plan, first released in 1993 and recently updated in 2016, has consistently identified improvements to freshwater inflows as one of the key actions needed for a thriving, resilient San Francisco estuary. The 2016 update, known as the Estuary Blueprint, calls on the State Board to update the WQCP flow objectives, and commits the Partnership to providing concise, scientifically sound data to inform this process.

The data from our partners at the natural resource agencies indicates that the overall approach the State Board has taken to the Phase 1 update is appropriate and well-grounded in current science; however, the proposed flow objectives of an adaptively managed range of 30-50% unimpaired flow (UF), with a recommended starting point of 40% UF, may not adequately protect fish and wildlife and water quality in the estuary, lower San Joaquin River, and San Joaquin tributaries. In its comment letter dated December 29, 2016, the Environmental Protection Agency (EPA) states: “Despite forecasted improvements at the 40% UF target, multiple scientific studies indicate flows higher than 40% of UF may be needed to meet the *Salmon Protection Objective* and protect the beneficial use. The proposed 40% UF does not achieve CDFW [California Department of Fish and Wildlife] flow recommendations...or the FWS [U.S. Fish and Wildlife Service] recommended flow targets...” The California Department of Fish and Wildlife, in its comment letter dated March 28, 2013 on the previously proposed flow objectives, states, “Substantial evidence demonstrates that approximately 50-60% unimpaired flow is the minimum necessary to reestablish and sustain fish and wildlife beneficial uses.”

We commend the State Board for recognizing the importance of non-flow measures as part of the complex interaction of factors that can assist in

recovery of the estuarine ecosystem. Yet we are concerned that the best available science provided by fish and wildlife agencies, academia, conservation groups, and others shows that more water from the San Joaquin River system is needed to reach the estuary throughout the year, especially in the critical winter and spring period. The Phase 1 updates to the WQCP will set minimum requirements for the amount of inflow from the tributary rivers of the San Joaquin basin to the estuary. Appropriate standards set in Phase 1 can begin to improve this degraded system, repair the damages of the past, and provide resiliency to the natural resources of the Bay and Delta in the future. These standards should provide both the safeguards and flexibility needed to ensure protection of endangered fish and wildlife and human health and safety during severe or extended drought. We support timely and strong action by the Board to increase the vitally important flows on these overburdened rivers that feed the Bay-Delta ecosystem.

The Board's final decision should be based on the best available science, ensure that enough water reaches the estuary to reverse the declines of fish and wildlife and protect the beneficial uses of water as required by state and federal law, and provide adequate protection for our Bay Area and coastal fishing communities, recreation, water quality, and the wildlife of our great San Francisco Bay-Delta estuary. The San Francisco Estuary provides an unparalleled place to work, live, play, and raise our families. Bay and Delta residents are invested in stewardship of the Estuary, as evidenced by the recent passage of Measure AA, funding Bay wetland restoration. In order to remain good stewards of the Estuary and promote continued economic growth, however, we must face the environmental challenges ahead of us.

Thank you again for the opportunity to comment on this important document.

Sincerely,

A handwritten signature in black ink, appearing to read "Amy Hutzel". The signature is fluid and cursive, with the first name "Amy" being more prominent than the last name "Hutzel".

Amy Hutzel

**Chair, San Francisco Estuary Partnership Implementation
Committee**

cc: Clerk of the Board
other Board members